MESSAGE

OF

HIS EXCELLENCY

JOHN W. GEARY,

TO THE

GENERAL ASSEMBLY

OF

PENNSYLVANIA,

JANUARY 3, 1872.

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MESSAGE.

To the Senate and House of Representatives of the Commonwealth of Pennsylvania:

GENTLEMEN:—You have, for a season, separated yourselves from private business and personal interests, and come from different sections of the State clothed with the powers of more than three and a-half millions of free, intelligent and independent people, to serve them in your representative capacity; and to determine upon public affairs, in such manner, it is hoped, as may deserve the blessings of God and the gratitude of men. It is becoming, therefore, to advance to these duties with minds untainted with party acrimony, unswayed by selfish or interested motives, and with fervent aspirations of praise and gratitude to the Great Preserver of nations, states and individuals, and to mingle our humble and devout supplications for His guidance and approbation in the accomplishment of the task assigned.

I am not insensible to the magnitude and importance of the subjects before me, nor to the responsibilities imposed; and approach them with diffidence and misgivings, conscious that some of them require more extended research than time and space could be allotted to their elucidation.

In compliance with the duty prescribed by the Constitution, I transmit, for your information and that of the people, a statement of the condition of the finances, schools, military and other matters of interest, with recommendations of such measures as are deemed of sufficient importance to be presented for your consideration.

FINANCES.

After thorough examination of the reports from the accounting departments, the following statement is submitted:

Receipts.

Balance in Treasury, November 30, 1870	$1,302,942 82
Ordinary receipts during the fiscal year ending Nov. 30, 1871	6,489,234 95
Extraordinary receipts from the United States government, on account of Pennsylvania war claims, applied to the payment of the State debt	708,710 67
Total in Treasury during year ending Nov. 30, 1871	$8,500,888 44

Disbursements.

Ordinary expenses paid during year ending November 30, 1871	$3,018,819 35	
Loans, &c., redeemed	2,220,224 59	
Interest on loans	1,785,035 91	
Total disbursements		$7,024,079 85
Balance in Treasury, Nov. 30, 1871		$1,476,808 59

Public Debt.

The public debt on November 30, 1870, was		$31,111,661 90
Deduct amount paid by Sinking Fund Commissioners during the year ending November 30, 1871	$2,113,228 63	
Amount paid by State Treasurer during same time	18,361 54	
		2,131,590 17
Total public debt, November 30, 1871		$28,980,071 73

The following statement shows the nature of the indebtedness of the Commonwealth, November 30, 1871:

Funded debt, viz:

Amount of over-due loans	$2,502,695 16
Do. . payable in 1872 and 1877, interest 6 per cent.,	3,786,550 00
Do. . . . . do. . . . . 1872 and 1877, interest 5 per cent.,	92,850 00
Do. . . . . do. . . . . 1877 and 1882, interest 6 per cent.,	7,890,550 00
Do. . . do. . . . . 1877, interest 5 per cent	3,399,700 00
Do. . . . . do. . . . . 1878, interest 5 per cent	290,000 00
Do. . . . . do. . . . . 1879, interest 6 per cent	400,000 00
Do. . . . . do. . . . . 1882 and 1892, interest 6 per cent.,	9,271,850 00
Do. . . . . do. . . . . 1882, interest 5 per cent	1,119,950 00
Do. . . . . do. . . . . 1882, interest $4\frac{1}{2}$ per cent	112,000 00
Total funded debt	$28,866,145 16

Unfunded debt, viz:

Relief notes in circulation	$96,347 00	
Interest certificates outstanding	13,086 52	
Interest certificates unclaimed	4,448 38	
Domestic creditors' certificates	44 67	
		$113,926 57
Public debt, Nov. 30, 1871, as before stated		$28,980,071 73

The Commissioners of the Sinking Fund report assets remaining in their hands, as follows, viz:

Bonds of the Pennsylvania Railroad Company, secured by lien on the Philadelphia and Columbia Railroad	$5,900,000 00
Thirty-five bonds of the Allegheny Valley Railroad Company, each for $100,000, guarantied by the Pennsylvania Railroad Company, Northern Central Railway Company, and the Philadelphia and Erie Railroad Company, payable $100,000 annually, beginning January, 1875, with 5 per cent. interest from January 1, 1872	3,500,000 00
Amount of assets	$9,400,000 00

Amount of public debt.....		$28,980,071 73
Deduct amount of assets.....	$9,400,000 00	
Cash balance in the Treasury, Nov. 30, 1871.....	1,476,808 59	
		10,876,808 59
Balance of public debt unprovided for.....		$18,103,263 14

In obedience to the sixty-seventh section of the appropriation bill, approved May 27, 1871, the State has issued for the relief of the citizens of Chambersburg and vicinity, for war damages adjudicated under former acts, certificates of loan to the amount of two hundred and ninety-nine thousand seven hundred and forty-eight dollars and ninety-one cents, which sum bears interest at six per cent., payable semi-annually at the State Treasury.

The books of the Auditor General and State Treasurer show the total indebtedness of the Commonwealth, on the first day of December, 1866, was *thirty-seven million seven hundred and four thousand four hundred and nine dollars and seventy-seven cents.* Since then, and up to November 30, 1871, the sum of *eight million seven hundred and twenty-four thousand three hundred and thirty-eight dollars and four cents* has been paid. The reduction during the year ending November 30, 1871, is *two million one hundred and thirty-one thousand five hundred and ninety dollars and seventeen cents.* The average reduction during the last five years is *one million seven hundred and forty-four thousand eight hundred and sixty-seven dollars and seventy-five cents.*

It will be observed, in the table exhibiting the nature of the indebtedness of the Commonwealth, the amount of the loans now overdue is $2,502,695 16. This sum can, without doubt, be paid as rapidly as the holders will present it to the Commissioners of the Sinking Fund. The bonds payable in 1872, and demandable in 1877, amount to $3,879,400 00. These can also be paid within the five years prior to their maturity, at an average of $775,880 00 per annum.

For many years the general appropriation bills have been withheld from the Governor until about the time of adjournment, when he must either sign them without proper investigation, suspend the means to defray the operations of the government for the ensuing year, or call an extra session of the Legislature. It is earnestly desired that the appropriation bill be taken up, discussed and passed at an early period during the session, to enable the Executive to give it that thorough examination which its importance demands.

War Claims.

In my message of January seventh, 1868, I informed the Legislature that "the balance in favor of the General Government for Pennsylvania's quota of direct tax levied in the several States for war purposes, and for cash from the United States, amounting in all to nearly two millions of dollars, has been settled in full by the allowance of claims for extraordinary expenses incurred by the State during the war. In consequence of the lapse of time since the remaining claims were contracted, the want of sufficient vouchers and explanations, and the difficulty of finding the parties, some of them being dead, by whom they should be made, render their settlement difficult, and in many instances doubtful, the accomplishment of which, however, will be vigorously pursued, and the result laid before the Legislature."

Lately public attention has been persistently directed to the subject of these claims, and their collection from the National Government; and in view of the action which it may be your duty to take in reference thereto, the following facts, showing what these claims consisted of, the measures taken by the State for their recovery, and the success resulting therefrom, are submitted to aid you in your deliberations.

By a statute of Congress, approved July twenty-seventh, 1861, entitled "An Act to indemnify the States for expenses incurred by them in defense of the United States," it is provided "That the Secretary of the Treasury be, and he is hereby

directed, out of any money in the Treasury not otherwise appropriated, to pay to the Governor of any State, or to his duly authorized agents, the costs, charges, and expenses properly incurred by such State for enrolling, subsisting, clothing, supplying, arming, equipping, paying and transporting its troops employed in aiding to suppress the present insurrection against the United States, to be settled upon proper vouchers, to be filed and passed upon by the proper accounting officers of the Treasury."

By another act of Congress, approved August 5th, 1861, entitled "An Act to provide increased revenue from imports to pay interest on the public debt, and for other purposes," there was levied a direct tax upon the several States, Territories and the District of Columbia, of twenty million dollars, with the privilege to those States of collecting and paying the quota of their tax into the Treasury of the United States, of a deduction or allowance of fifteen per cent. as compensation for the expenses attending the collection.

Pennsylvania's portion of this tax amounted to $1,946,-719 33, the payment of which the State assumed.

The fifty-third section of the statute last referred to provides: "That the amount of direct tax apportioned to any State, Territory or the District of Columbia, shall be liable to be paid and satisfied, in whole or in part, by the release of such State, Territory or District, duly executed to the United States, of any *liquidated and determined claim* of such State, Territory or District of equal amount against the United States: *Provided*, That in case of such release, such State, Territory or District shall be allowed the same abatement of the amount of such tax as would be allowed in case of payment of the same in money."

Under the act of Congress first referred to, of July 27th, 1861, claims on the part of the State against the United States were filed, amounting in the aggregate to.....	$3,172,218 19

Amount brought forward.....			$3,172,218 19
These claims were filed in six different instalments, as follow, viz:			
1st filed March 1, 1862.....		$1,182,997 22	
2d " June 11, 1862.....		854,337 20	
3d " February 20, 1863.....		81,084 91	
4th " May 4, 1870.....		257,933 18	
5th " June 30, 1870.....		762,127 91	
6th " May 25, 1871.....		33,737 77	
			$3,172,218 19

It was in reference to the first and second instalments of the claims so filed, that my predecessor, Governor Curtin, informed the Legislature, January 7, 1863, that on the 14th of June, 1862, the quota of direct tax due by the State had been "paid to the United States, partly by a relinquishment of a portion of the sums claimed by this State from the government, and partly in cash, after deducting the fifteen per cent. allowed by act of Congress for prompt payment." The settlement thus assumed to have been effected, and which, on the information reported to him, Governor Curtin supposed to have been complete, was based upon an arrangement, as understood by the State authorities, shown by the following figures:

Amount of direct tax.....	$1,946,719 33
Deduct 15 per cent.....	292,007 90
	$1,654,711 43
Cash paid by the State to the United States, June 30, 1862.....	350,000 00
Proportion of war claims set off by the State.....	$1,304,711 43

It subsequently transpired, however, that at the date when Governor Curtin assumed the above settlement to have been completed, *no portion* of the State's claims had been "liquidated and determined" by the "proper accounting officers of the Treasury" of the United States, as required by the

statutes of Congress, approved 27th July and 5th of August, 1861. Indeed, it was not until November 1, 1865, that any portion of the State's claims had been "liquidated and determined" by the United States officers, and even then the only sum allowed amounted to *one hundred and twelve dollars and fifty cents.* Still, on September 20, 1861, the United States made an advance to the State on account of these claims of $606,000, and for this cash advance the State stood debtor to the United States until the claims were "liquidated and allowed." So that on the books of the National Government the State appeared debtor for,

1st. Quota of direct tax.....	$1,946,719 33
2d. Cash advanced by the United States to the State, September 20, 1861.....	606,000 00
	$2,552,719 33
Less cash paid by the State to the United States, June 30, 1862.....	350,000 00
	$2,202,719 33

while the claims on the part of the State against the United States were understood, if properly supported, to be considerably in excess of this amount. To enable the State to have secured the benefit of the rebatement of fifteen per cent. on the quota of direct tax, amounting to $292,007 90, it was absolutely necessary, under the statutes of July 27, and August 5, 1861, that the money should either be paid out of the Treasury to the United States, or that the claims of the State against the National Government, which had been "disallowed and suspended" (except the credit of $112 50, above explained,) for five years, should be "liquidated and determined" by the accounting officers of the government. It was under these circumstances that the Legislature of the State, in 1867, by joint resolution, authorized the Governor to appoint "a special agent to collect disallowed and suspended claims against the United States," "whose compensa-

tion for that purpose shall not exceed ten per centum of the amounts thus collected, and shall be paid out of such collections."

As thus authorized, it became my duty to appoint a competent person to attend specially to the interests of the Commonwealth in the collection and adjustment of these claims, and under the authority conferred upon me, I appointed Mr. George O. Evans, of Philadelphia, whose recommendations for efficiency and faithfulness were so strong, that I had no hesitation to place in his hands the agency required by the act of Congress of July 27, 1861, and the joint resolution of the Legislature. It was not expected that he would ever succeed in paying off a debt which seemed to be greater than the amount of the claims then on file; nor was it expected that he would succeed, under the best of circumstances, in obtaining more than a few hundred thousand dollars out of vouchers, which had for upwards of five years, been "disallowed and suspended," and deemed almost without value.

Mr. Evans, upon his appointment, immediately gave his attention to the duties assigned him, and through his success in paying the entire debt due the General Government, I was able to communicate to the Legislature of 1868, the partial settlement of the claims referred to. It is due to Mr. Evans to state, that that reference was of too meagre a character to place the result of his services fairly and fully before the public. Through his labors, the claims of the State, which had for years been "suspended and disallowed," were "liquidated and determined" by the accounting officers of the National Government, and being thus "liquidated and allowed," the State for the first time became entitled, under the provisions of the act of August 5, 1861, to the above sum of $292,007 90, as the rebatement on the quota of the United States tax.

The credit thus secured to the State, deducted from her quota of the direct tax, left a balance thereon against the State

of $1,654,711 43, and from this sum there was to be deducted the payment made by the State on account of this tax on June 30, 1862, of $350,000 00—reducing the liability of the State for direct tax to $1,304,711 43. This indebtedness, as also the cash advanced to the State on September 20, 1861, six months before the first instalment of claims had been filed on the part of the State, of $606,000 00, were paid by Mr. Evans by the collections which he succeeded in making upon the claims "liquidated and determined" in favor of the State, as already explained.

By act of Congress, the State was entitled to a rebatement of fifteen per cent. on her quota of the United States tax, *provided* it was paid before the first day of June, 1862, and of ten per cent., *provided* it was paid before the first of September of that year. The State had forfeited both of these proposed reductions for prompt payment by her delinquency in not paying the tax for five years. But, notwithstanding all this, Mr. Evans not only obtained for the benefit of the State, the rebatement of the fifteen per cent. on the amount of the tax, but a release of the interest which might have accrued on the entire claim of the United States.

The claims collected by the State from the United States, are as follow:

1st. November 1, 1865	$112 50
2d. May 2, 1867	1,989,115 82
3d. October 27, 1868	105,651 46
4th. August 26, 1870	136,846 09
5th. April 11, 1871	137,822 59
6th. May 15, 1871	242,167 57
7th. June 23, 1871	298,753 08
	$2,910,469 11

These collections the special agent accounts for as follow:

1st. May 2, 1867, paid debt due by the State to the United States, being balance of quota of direct tax,	$1,304,711 43	
May 2, 1867, re-paid cash advanced to the State by the United States, September 20, 1861	606,000 00	
2d. Paid into State Treasury as follow:		
April 20, 1871, cash	$137,822 59	
May 16, 1871, cash	242,167 57	
June 27, 1871, cash	298,753 08	
July 21, 1871, cash	29,967 53	
	708,710 77	
3d. His commission of ten per centum on the amount collected, retained from the collections	291,046 91	
		$2,910,469 11

From these results it will be seen that the present condition of the claims against the National Government stands thus:

Amount of claims filed as before shown	$3,172,218 19
Of which there have been allowed and collected	2,910,469 11
The balance at present in suspense amounts to	261,749 08
Further claims on the part of the State can, I am informed, be fairly made, with good prospect of collection, to the amount of	100,000 00
Making the amount of suspended and outstanding claims yet to be collected	$361,749 08

Credit Mobilier of America.

By the fourth section of the act approved May first, 1868, taxing corporations, it is declared:

"That the capital stock of all companies whatever, incorporated by or under any law of this Commonwealth, * * * * shall be subject to pay a tax into the Treasury of the Commonwealth annually, at the rate of one-half mill for each one per cent. of dividends made or declared by such company."

The taxes received during the last four years from corporation stocks have annually exceeded one million dollars, and are now about the one-sixth part of the revenue of the State.

"The Credit Mobilier of America" is a corporation created by the Legislature of Pennsylvania; and under the vast powers conferred by its charter, it undertook the construction of that great national work, the Union Pacific railroad. The first contract was made with a Mr. Hoxie for two hundred and forty-seven miles, at the eastern terminus of the road, and east of the one-hundredth meridian, for the consideration of fifty thousand dollars per mile This contract was assigned by Hoxie to the Credit Mobilier, and the road was built by that company. In the execution of the contract certain profits were made and dividends divided by the corporation; and the taxes due thereon to the State of Pennsylvania were voluntarily paid into the Treasury. Soon afterwards another contract was made with Mr. Oaks Ames, for the construction of six hundred and sixty-seven miles of said road west of the one-hundredth meridian, for an aggregate consideration of forty-seven million nine hundred and fifteen thousand dollars. This part of the road was constructed under the latter contract; and out of the profits arising therefrom about the sum of nine million dollars was declared as dividends, and paid to the stockholders of the Credit Mobilier. But when the State demanded her taxes on these immense profits, payment was refused by the corporation, on the grounds that the dividends though paid to, and received by, the stockholders of the corporation, *and in the precise amounts and proportions in which they severally held stock in the company, were yet paid to them as individuals, and not as stockholders.* To make good this defence sundry papers, agreements and contracts were produced, and especially a tripartite agreement between Oaks Ames of the first part, sundry trustees therein appointed of the second part, and the Credit Mobilier of the third part, by

which, and the accompanying parol evidence, it was contended the corporation was not responsible for the taxes claimed, amounting to about one million dollars. The accounting officers of the State, with counsel employed by the Auditor General, associated with the Attorney General, prosecuted the claim with zeal and ability, and on the two separate trials in the court of common pleas of Dauphin county recovered verdicts and judgments against the corporation.

The first was obtained November 25, 1869, for $407,483 39, and the second, December 23, 1870, for $610,391 03. The defendant took writs of error; and the Supreme Court reversed the judgments, and in the opinion of a majority of the judges certain principles are declared which are considered fatal to a recovery by the State. If this corporation, created by the laws of Pennsylvania, by the legerdemain of a tripartite agreement, and other contracts and proceedings to which the Commonwealth was not a party, can thus evade taxation upon its capital stock, I can imagine no good reason why every other corporation may not, by a resort to the same ingenious contrivance, escape the payment of taxation on their capital stock, and thus over a million dollars annually be lost to the State Treasury. In view of this impending danger, I earnestly invoke your prompt and careful consideration of this whole subject, and recommend such action as will in the future effectually protect the interests of the Commonwealth.

CONSTITUTIONAL REFORM.

The people at the last election having proclaimed unmistakably in favor of a convention to revise the Constitution, it will doubtless be the pleasure of the Legislature to provide the necessary legal machinery to carry out the popular will on this important subject. I cordially sympathise with this movement, and in my last annual message presented my views thereon so fully that a repetition of them is deemed unnecessary, but to which special reference is made. A care-

ful revision of our fundamental law, by men qualified for that duty, is imperatively demanded by the highest considerations of public welfare.

Connected with this, in a considerable degree, are the questions of the establishment of a "Court of Appeals," and the appointment of a commission to revise the tax laws and to equalize taxation. Both of these measures are important, and are urged upon my consideration by intelligent men from different parts of the State. But, inasmuch as the constitutional convention may, with propriety, undertake the re-organization of our judicial system, and as taxation should be based upon and made conformable to the requirements of the Constitution, I incline to the opinion that general legislation on these subjects had better be postponed until the action of the proposed convention shall be known.

CONGRESSIONAL APPORTIONMENT.

The second section of the first article of the Constitution of the United States, as modified by the second section of the fourteenth amendment thereto, defines the principles and basis of congressional representation; and imposes upon each State the duty of dividing the same, every ten years, into Congressional districts, each containing as nearly as possible the ratio of inhabitants adopted by Congress, based upon the enumeration of the National census of 1870. No more important duty than this apportionment of the State into Congressional districts is likely to devolve upon the present Legislature; and I bespeak for it that careful and patriotic consideration which is required by the magnitude of the interests involved.

THE MILFORD AND MATAMORAS RAILROAD COMPANY.

About the close of the session of the Legislature in 1870, an act was passed and approved, entitled "A supplement to the Milford and Matamoras Railroad Company." The fourth section of this enactment seems to have been intended to

take from the State, and give to the company, the ten thousand dollars bonus, paid into the State Treasury annually by the New York and Erie Railroad Company, under the fifth section of the act of 26th March, 1846. Soon after the adjournment, my attention was directed to the subject, and to guard against loss I caused the Attorney General to give notice to the New York and Erie Railroad Company that the State would look to that corporation for the payment of the annual bonus, as heretofore, notwithstanding the passage of the supplement referred to. I regard the latter as having been enacted and approved, through inadvertence, in the hurry of a closing session, and as hasty and inconsiderate legislation, at variance with the settled policy of the State, and highly prejudicial to the public interests; and I therefore earnestly repeat the recommendation in my last annual message for the immediate repeal of this obnoxious law, or at least of that part of it which relates to the bonus. The State having long since abandoned the policy of paying money out of her Treasury for the construction of railroads, there is neither equality or justice in allowing this enactment to remain in force.

EDUCATION.

Every citizen is deeply interested in the management and welfare of our common schools, and in the cause of general education, and should rejoice that in the prosperity of so great a trust he is charged with an appropriate share of responsibility. In proportion as the character of public instruction is elevated, the vast multitudes who emerge from our schools will be properly prepared for the active duties of life, and "the weighty responsibilities of American citizenship."

Thirty-seven years have elapsed since the common school system was introduced into Pennsylvania, and the general prosperity of the State has, ever since, been commensurate with the advantages that have been afforded to its rapidly in-

creasing population. Those who were instrumental in its introduction, and those who have devoted themselves to perfecting its operations as to methods of teaching, the adaptation of buildings, and all other means of education, are fully appreciated and compensated by the gratitude of all good and intelligent people. But much yet remains to be done to perfect its ultimate purposes, and it must not be said of us, now upon the field of action, that we are permitting the good work to languish in our hands. No just complaint should be allowed as to its efficiency, or that its great and important ends are not being accomplished.

It was certainly the purpose of the founders of our common school system to give every child in the Commonwealth, without regard to its pecuniary or social condition, the advantages of sufficient education to enable him or her to engage in the successful transaction of the ordinary branches of business, and to obtain and maintain a respectability which ignorance can never acquire. Thus far this has not been fully accomplished; for I am informed there are at least seventy-five thousand children in the State who attend no schools of any kind whatever. It is unnecessary to inquire into the reasons for this shameful neglect. The evil exists and demands an efficient remedy. That remedy may probably be found either in compelling, or in holding out inducements to parents and others having children in charge, whether rich or poor, to afford them the benefits, for at least a reasonable term of years, of our public schools.

Those who neglect this duty are unfit guardians, and deserving of severe reprehension. Parents are not the sole owners of their children. The latter are the property of the State, the prosperity of which materially depends upon their future usefulness. They are emphatically *her* children, and have an indefeasible right to demand her protection in their youth, that in advanced life they may, in turn, become her protectors. Let them be properly reared, trained and culti-

vated, and they will grow up to maturity loving the hand that fostered them, and feeling a deep and lasting interest in its welfare for the paternal care they received. And thus many who would otherwise be neglected may become an honor to themselves, and bright and shining lights in the moral, social, religious and political firmament of the Commonwealth. But let these be neglected, and what are the adverse results? Idleness and ignorance are the prolific sources of vice and crime. They will fill our alms-houses with youthful vagrants, our prisons with convicted criminals, houses of infamy with dissolute wretches, the purlieus of our cities with drunken, miserable and half starved vagabonds, and cover our "Potter's fields" with the graves of these who might have been, with proper instruction, ornaments to society and serviceable to their country. These statements are fully sustained by the reports of prison inspectors, wardens, physicians and philanthropists who have given the subject careful consideration; and it has been clearly demonstrated that an exceedingly small percentage of the suffering beings who crowd our prisons and poor houses have received even the rudiments of an ordinary education, or moral instruction during their childhood. This condition of things admonishes those having charge of the public interests of a great responsibility, and that the application of effectual remedies admits of no delay. Therefore, such legislation is recommended as will remedy any defects in our school system that have hitherto failed to make it thorough, comprehensive and universal.

I would advise a more liberal policy to be adopted in regard to the compensation of teachers in the public schools, that the highest order of talent and the best qualifications for the responsible and important duties of instruction may always be secured.

On this occasion I have omitted the statistical statements exhibiting the condition of the different branches of the School Department, and respectfully invite your attention to the

carefully prepared reports of the Superintendent for a detailed account of the Normal, Agricultural, Common and Soldiers' Orphans' schools and colleges, and to the suggestions and recommendations contained therein. His long and successful career as an educator eminently entitles them to your attentive consideration. I also recommend an appropriation of five hundred and twenty thousand dollars in aid of the common schools, and four hundred and eighty thousand dollars for the continuance of the soldiers' orphans' schools, for the school year terminating May 31, 1873.

NATIONAL GUARD.

The accompanying report of the Adjutant General will be found an interesting document. It is replete with valuable information in regard to which every citizen of the Commonwealth is deeply concerned. The present condition and efficiency of the military organizations of the State, recognized as the "National Guard," is in most instances such as to give general satisfaction. From a very small beginning, at the close of the war, they have assumed an attitude most creditable to the patriotic ardor of our young men, some of whom during the past year have been enabled to avail themselves of an opportunity to prove their usefulness in the field.

The effective force of the National Guard is at present nineteen regiments, and three battalions, comprising, with unattached organizations, three hundred and eighty-two companies, viz: Eight artillery, twenty cavalry, and three hundred and fifty-four infantry. Of the regimental organizations, thirteen are in the First division, one in the Second, three in the Eighteenth, and two in the Ninth. The aggregate of enlisted men is sixteen thousand seven hundred and thirty-four, and the commissioned officers number one thousand one hundred and forty-two. The Fifth brigade of the First division, organized in accordance with an act of the last Legislature, is composed of three regiments of colored troops.

The entire force is handsomely equipped, and generally

well drilled and disciplined, and prepared to meet any ordinary emergency in which its services may be required or demanded by the constituted authorities.

The riotous condition of affairs in Luzerne county during the months of April and May last, demonstrate the necessity for and efficiency of these voluntary military organizations. For a full account of these disturbances of the peace, and the operations of the volunteers ordered into service, you are referred to the report of Major General Edwin S. Osborne, commanding the Ninth division of the National Guard, which will be found in the report of the Adjutant General. From this document and other facts daily communicated to me during the existence of the Scranton troubles, it is evident that our citizen soldiery cannot be too highly esteemed for their services on that occasion; and their usefulness is demonstrated should similar, or any other civil disturbances, hereafter occur.

But for the prompt appearance and judicious management of the National Guard on the occasion of these riots, one of our most prosperous cities might have been reduced to ashes, millions of property destroyed, many valuable lives sacrificed, and scenes of general ruin and devastation produced.

By act of the Legislature provision was made for the expenses necessary for the suppression of the disturbances in Luzerne county. They amounted to thirty-seven thousand eight hundred and sixty-seven dollars and thirty-six cents. The various items comprising this sum, properly audited, and paid by the State Treasurer, will be found in detail in the report of the Adjutant General.

The history of the volunteers in the late war is completed and ready for distribution. It embraces five royal octavo volumes, and bears evidence of being a work of much labor and research. Accompanying this you will receive the final report of the Historian.

WRITS OF ERROR IN CRIMINAL CASES.

At the session of 1870, the Legislature passed an act, entitled "An Act to allow writs of error in cases of murder and voluntary manslaughter," the first section of which provides that a writ of error "shall be of right, and may be sued out upon the oath of the defendant or defendants, *as in civil cases.*" The second section makes it the duty of the judges of the Supreme Court, in all such cases, to review both the law and the evidence. The importance of this subject, and the neglect of the Legislature to act upon it in response to the request in my last annual message, makes it incumbent upon me to repeat my recommendation. Before this enactment the law required the defendant to allege that some error had been committed by the court on the trial, and to show cause, within thirty days, why the writ of error should be granted; but this law gives a writ, whether any error is alleged or not, and allows the defendant seven years in which to issue it, *according to the practice in civil cases.* Heretofore the Executive did not ordinarily issue the warrant for execution of any criminal until the expiration of the thirty days within which he was permitted to apply for his writ of error. That limitation of thirty days being now virtually repealed, and seven years substituted therefor, is it expected the warrant shall be withheld for the seven years? If not, when may it properly issue? And if issued at any time within the seven years, may not the criminal supersede it at any time he pleases by his writ of error? And may it not be reasonably expected that this will be the practical result in many cases? This would seem like trifling with very serious matters; and I respectfully submit whether the act should not be repealed, or very materially modified, without delay. In my message of 10th February, 1870, returning the bill with my objections, I gave sundry reasons why it should not be approved, and the views therein expressed remain unchanged; and the Supreme

Court of the State, in the Shœppe case, expresses its opinion of this enactment, as follows:

"It is not improper before closing to say a few words in reference to the act of 1870, to draw attention to some of its defects, and to the radical change in our criminal jurisprudence it will produce. It was passed for this case, but owing to the Governor's veto it came too late. It is another evidence that laws which are the offspring of feeling are seldom wisely framed. It commands this court to review the *evidence* and to determine whether the ingredients to constitute murder in the first degree were proved to exist; and yet in forgetfulness of the former law, it provides no means to *take*, *preserve* and *bring up* the *evidence*. This, the first attempt to act under it, proves its inefficiency, the judge below returning to our *certiorari* that he was not able to make the return of the evidence. He is not bound by law to take the testimony or to certify to it. A bill of exceptions brings up only so much of the evidence as may be required to explain the point of law contained in the bill.

"The effect of this law seems not to have excited attention. It has changed the whole doctrine of the criminal law as to the speed and certainty of punishment, and left to the felon both the hope and a door of escape, not only from the law's delay, but by prison breach, and all the various means of avoiding retributive justice. At this moment, two cases occur to my memory of convictions of murder in Allegheny county, delayed by dilatory motions, where the prison doors opened by unknown means, and the prisoners escaped forever. Any murderer may, under this law—though like Probst he may have murdered a whole family—take out his writ of error, without limitation of time or condition, whether in prison under sentence, or stepping upon the trap of the gallows, with cause, or without it, and suspend his case until the next term of the Supreme Court. No one could condemn him, if the death warrant not preventing, he should wait till the term of the Supreme Court be passed, and then take out his writ of error to delay the execution of his sentence for a whole year. That only security to the public, the examination of the case and allowance of the writ for cause, is repealed."

PROCLAMATIONS FOR ELECTIONS.

Complaints have been made to me of a want of uniformity in the sheriffs' proclamations for elections, to which I deem

it important to invite your attention. There are sundry local laws on the subject of elections, to which the local proclamations must necessarily conform. The election laws are generally uniform; and there are no good reasons why the main body of the sheriffs' proclamations should not also be uniform. For many years scarcely any two proclamations have been alike; and they seem, in many instances, to have been prepared with more regard to supposed partisan advantages than to a compliance with the plain requirements of law. Many things are included which are unnecessary, and frequently other things are excluded which the law positively requires. This evil should be remedied; and I can suggest no better way of doing it than for the Legislature to authorize the Secretary of the Commonwealth or the Attorney General to prepare and distribute such a form of proclamation as the law prescribes.

RAILROAD CONSOLIDATIONS.

The consolidation of railroads and railroad companies has lately become quite common, and the interests involved are very great. The laws heretofore created, authorizing this to be done, only require that the articles of merger shall be filed in the office of the Secretary of State, but confer no authority for recording. In view of the magnitude of these interests, I recommend that authority be given to the Secretary to record, in suitable books, all articles and agreements of consolidation and merger heretofore filed, and all that may hereafter be presented for that purpose.

CAPITOL AND CAPITOL GROUNDS.

A suitable place is desirable for the proper exhibition of the painting of the Battle of Gettysburg, and the flags now stowed away in the office of the State Historian. Few persons visit Harrisburg who are not desirous of viewing, not only the painting, but the worn and tattered colors carried triumphantly over many battle-fields, by our brave soldiers

during the recent war. These should not be hidden from public inspection as so much useless and condemned rubbish. The rooms in the Capitol used by the State Historian and the Board of Charities, would, conjointly, answer the purpose indicated, and but small expense need be incurred to put them in proper order.

The Legislature has frequently had under consideration the propriety of purchasing a small piece of land at the east corner of the Capitol grounds, necessary to complete the square. I recommend that further efforts be made to secure the object indicated, and that the iron fence enclosing the grounds be completed.

CODIFICATION OF THE LAWS.

In my last annual message the favorable consideration of the Legislature was invited to the revised civil code; but no action was taken on it other than the appointment of a joint committee of the two Houses to examine it and make report at the present session. The commissioners informed me that, in the interval of time, they have ingrafted into the code so much of the legislation of last winter as was necessary to harmonize the whole, and have also made some corrections of their earlier work, and that their production is now in the hands of the joint committee.

COAL MINES.

During the session of 1870 the Legislature passed a law "providing for the health and safety of persons employed in coal mines," which has been productive of beneficial results. Yet there are deficiencies to be supplied in order to fully accomplish the desired objects In a previous message I endeavored to make it appear that no extensive coal mine could be safe without more than one outlet, and not even then unless secured by incombustible material. The recommendation that at least two openings should be required has

been incorporated in the law, but that regarding the use of wood in their construction was unheeded. It is comparatively of little importance how many means of exit there may be if these are choked up with the flames and smoke of burning timbers. This was demonstrated in September last in the terrible calamity at Pittston, which followed so soon after that of Avondale, and was less horrible only because less extensive, by which the lives of eighteen miners were sacrificed, and which, with the proper precaution against fire, might probably have been saved.

A still more recent casualty suggests another amendment to the act referred to. By the reprehensible practice of robbing the supporting columns, the roofs of the mines, the overlaying surfaces of which are in some places covered with houses, sink into the vacuum, causing the destruction of many thousands of dollars worth of property, as at Scranton, Hyde Park and Wilkesbarre. It should, therefore, be made unlawful to remove the coal supports without supplying their place with others of substantial masonry, or something equivalent.

The reports of Inspectors of Mines furnish much statistical information and other valuable and interesting matter, exhibiting their usefulness and vindicating the propriety of their appointment.

COMPULSORY VACCINATION.

The small-pox has, during the past year, made its appearance in the cities and populous districts of the State. In July last it assumed an epidemic character, and its ravages still continue. During the last six months, in Philadelphia alone, *over eight thousand* cases were reported, of which *eighteen hundred and seventy-nine* proved fatal. On this point the Port Physician and the Health Officer of that city, in their report of December 11th, say "it is a deplorable shame that ten hundred and eighteen lives (the number reported up to that date) have been sacrificed this year, which could and should have

been preserved by the known means of prevention." From this statement it appears that more than one per cent. of the population of that city was smitten with the infection, and that the mortality exceeded twenty-three per cent of the cases reported. The epidemic has spread widely over the State, and many neighborhoods have greatly suffered.

The cause evidently exists among ourselves, and it becomes our duty to devise means to arrest its progress, and to enact such legislation as will protect our people against its recurrence. This is a delicate subject, but it is one which so deeply affects the welfare of our citizens, and the general interests of the State, that it becomes my duty to speak frankly and to the point. And it is also one in which every member of the General Assembly is equally concerned. Eminent medical men unhesitatingly declare that thousands of lives have been sacrificed for want of proper sanitary laws. There are none such in the State; and if they are not speedily enacted a weighty responsibility will rest upon whom the duty devolves.

I quote from a recent work by Dr. P. H. Chavasse, an eminent English surgeon, and Dr. F. H. Getchell, lecturer, Jefferson Medical College, the following paragraph:

"Small-pox is a pest. It is worse than the plague; for if not kept in subjection it is more general—sparing neither young nor old, rich nor poor, and commits greater ravages than the plague ever did. Small-pox is a disgrace to any civilized land, as there is no necessity for its presence. If vaccination were frequently and properly performed, small-pox would be unknown. Cow-pox is a weapon to conquer small-pox, and drive it ignominiously from the field. My firm belief, then, is that if every person were, *every seven years*, duly and properly vaccinated, small-pox might be utterly exterminated. But as long as there are such lax notions on the subject, and such gross negligence, the disease will always be rampant; for the poison of small-pox never slumbers nor

sleeps, but requires the utmost diligence to eradicate it. The great Dr. Jenner, the discoverer of cow-pox as a preventive for small-pox, strongly advocated the absolute necessity of every person being vaccinated once every seven years or oftener, if there was an epidemic of small-pox in the neighborhood." These eminent physicians also aver that very few fatal cases are recorded as occurring after vaccination, and these may be considered as only exceptions to the general rule, and some of them might be traced to the vaccination not having taken effect. They moreover say that persons who take small-pox after vaccination are seldom pitted, and the disease assumes a comparatively mild form. The necessity, therefore, for a *compulsory vaccination law* and its utility is also demonstrated by unanswerable statistics, contained in the report of the port physician, herewith submitted, and to which you are most respectfully referred.

A STATE BOARD OF HEALTH.

Many eminent medical and other scientific gentlemen have suggested that the organization of a State Board of Health, under the auspices of the Legislature, would be greatly conducive to the general welfare of the people of the Commonwealth. After mature deliberation I thoroughly accord in this opinion. Local boards of health may answer the purposes for which they are established; but their fields of operation are limited, and they cannot accomplish the objects contemplated by the appointment of a general State Board. The prevalence of yellow fever in former years, which spread beyond the boundaries assigned to the Philadelphia Board; the devastation produced by the small-pox during the past year; the fact that the Asiatic cholera is steadily marching over its old track to our very doors; and the many other influences which constantly threaten the health of our citizens, seem imperatively to demand the creation of as efficient a sanitary institution as legislative wisdom can possibly devise.

The Board could be formed somewhat similar to that of Public Charities. The expense to the State need be no greater, while the benefits to be derived are incalculable. The head of the Board should be a physician of undoubted respectability in regard to every necessary acquirement, and large experience in the practice of his profession, while the Board might consist of five or more medical men, resident in different parts of the State, who would perform the duties, if not gratuitously, at least at a very moderate cost. The general objects should be clearly specified and defined; and each member should exercise a careful supervision over the sanitary condition of the district of the State to which he might be assigned. The appointment of such a Board cannot result otherwise than in great sanitary reforms.

REMOVAL OF THE QUARANTINE.

The propriety of removing the Quarantine station has for a long time been a mooted question. Popular opinion decidedly favors a change, and in a few years it will be an imperative necessity. The existing Lazaretto was established nearly a century ago in a sparsely populated district. Since then its neighborhood has become thickly settled, and many dwellings and towns are springing up in its immediate vicinity. The rapid growth of the city of Chester, and its being made a port of entry, will necessitate the removal. Besides, there are cities and villages of considerable size far below the Quarantine station, on both sides of the river, which should receive the protection now only inadequately afforded to Philadelphia. It should be located at the mouth of the Delaware river, or upon the bay, if a proper situation for the erection of the necessary buildings can be obtained.

No argument is necessary to show that quarantine, to be effective, should be as far remote from thickly populated districts as possible, and hence the necessity for the change suggested.

To effect this change the co-operation of the States of Dela-

ware and New Jersey is desirable and important, in order that a joint Quarantine for the protection of the three contiguous States may be established. I recommend that two commissioners be appointed to correspond with similar commissioners of the other States named, for the purpose of successfully accomplishing this greatly desired object.

THE POWDER MAGAZINE.

The removal of the powder magazine in Philadelphia from its present location is a subject demanding prompt attention. It is nearly contiguous to the city gas works, coal oil refineries, the new League Island navy yard, many manufacturing establishments and dwelling houses; and consequently an explosion of the powder in the magazine might result in great loss of life and destruction of property. The magazine should be in some more isolated district.

PUBLIC CHARITIES.

You will, in due time, receive a full report of the transactions of the Board of Public Charities during the past year. The usefulness of the board will be shown by the facts to be presented. Several suggestions as to the improvement of its organization and management will be made in the report, to which your attention is invited. Its importance to the cause of humanity and the interests of the Commonwealth is generally acknowledged.

IN MEMORIAM.

During the last few years it has been my melancholy duty to chronicle the death of a number of eminent citizens, who had either heretofore been, or were at the time connected officially with the Commonwealth, and at the present time I would do injustice to my own feelings, were I to omit to notice the fact, that three noble and patriotic sons of Pennsylvania, whom its people had lately honored with their con-

fidence, have terminated their earthly career within a brief period.

Hon. GEORGE CONNELL, member of the State Senate from the Fourth Senatorial district, died in Philadelphia on the 26th of October last, aged fifty-six years. A brief tribute to his many virtues and excellencies is due to him as a faithful public servant. During the early part of his life he was engaged in merchandising, afterwards in real estate and law business, and subsequently, from 1859, a period of twelve years, was a member of the State Senate, during several years of which time he was chairman of the Committee on Finance. He was thoroughly conversant with the financial affairs of the State, an eloquent and courteous debater, a wise counselor, and an able parliamentarian. He was elected by a majority of over seven thousand votes in October last to his fifth term. His death leaves a vacancy in the Senate, and will cause a void in the political and social circles of the State that will not easily be filled. His faithful and valuable services will long be remembered.

Hon. DAVID STANTON, Auditor General elect, departed this life under distressing circumstances, at New Brighton, Beaver county, on the fifth of November last, aged forty-two years. He was a physician, having graduated at the Cleveland Medical College, and at the University of Pennsylvania. During the late war he was professionally engaged in several branches of the army, viz: Surgeon of the First Pennsylvania Cavalry, Surgeon of United States Volunteers, Superintendent of Hospitals, Medical Director of the Northern department, and at the close of the war was brevetted Lieutenant Colonel and Colonel. He continued actively engaged in his profession until the time of his death. He was a scholarly, refined and thorough gentleman; kind in his deportment and eminently skilled in his profession. His departure is the more deeply lamented as he had just become the people's

choice for another and more extended field of honor and usefulness.

J. W. Dickerson, Esq., of Bedford, departed this life on the 26th December last. He had distinguished himself as a successful teacher of our common schools, and as County Superintendent. Within the last few years he studied law, and was admitted to the bar. He was a young man of ability and much promise of future usefulness, and was elected, last October, a member of the House of Representatives from the district composed of the counties of Bedford and Fulton.

PARDONS.

Among the most embarrassing and responsible duties required of the Executive is the exercise of the pardoning power. There is scarcely a petition for pardon made, upon which strong conflicting interests and opinions are not brought to bear, all of which must receive close and unprejudiced scrutiny in order that mercy and justice may alike be satisfied. This demands much time and no small amount of patience. The pleadings of relatives, friends and humanitarians must be heard and duly considered on the one hand, and on the other the action and decision of the courts, and in many cases the earnest protests of either sincere or malicious prosecutors. And after his decision is fairly given in favor of an unfortunate convict, the Executive must, in almost every case, be prepared to encounter acrimonious criticism from parties who have never given the subject one moment's consideration.

During the past year the applications for pardons numbered one thousand and twenty-three. Of these, sixty were granted, less than six per cent. of the entire number, being about one to every sixty thousand inhabitants of the State, and far below the average in any State, in proportion to the population, in which committees are appointed to exercise this power.

Accompanying this message will be found a pardon report,

in conformity with a plan adopted the first year of my administration. These reports are made for the purpose of showing that no secrecy adheres to the exercise of the prerogative in question, and to inform the Legislature and the people, every one of whom has an interest in the subject, what reasons have been adduced for the liberation of persons convicted of crime, and what personal influences have been employed for the accomplishment of that object.

COMMUTATIONS OF IMPRISONMENT.

The act approved May 21, 1869, authorizing commutations upon the terms of prisoners convicted of crime, has produced a decidedly salutary effect. The discipline of the prisons is reported as being greatly improved by the voluntary good conduct of all desirous of availing themselves of the merciful provisions of the law; and reformatory influences have been manifest in many cases by the good behavior of those who have been the fortunate recipients of its benefits. The improved habits of prisoners during their confinement have gone with them into private life, and the wisdom of the Legislature in passing the law has thus been signally confirmed. In accordance with the act referred to, commendable conduct on the part of a prisoner, such as will merit and receive a favorable certificate from the warden of a prison, with the approval of its board of inspectors, secures the following deductions from the terms of sentence, viz:

"One month on each of the first two years; two months on each succeeding year to the fifth year; three months on each following year to the tenth; and four months on each remaining year of the term of sentence."

The number of convicts directed to be discharged, under this act, before their terms of sentence had expired, from the State penitentiaries and county prisons, during the past year, amounts to five hundred and fifty-three, and it is a gratifying fact that thus far I have not heard of any one of them returning to habits of crime.

GENERAL REMARKS.

Herewith is submitted a communication from the President of the United States, in regard to the twenty-seventh article of the treaty concluded in Washington on the eighth day of May last, between the United States and Great Britain. It relates to the navigation of the lakes, rivers and canals along the northern boundaries of the United States. To which, and the accompanying copy of the treaty, your attention is invited.

In accordance with an existing law, the banks in the Commonwealth are required at stated periods to publish a correct statement of their business transactions and financial condition. A law similar in all respects should be passed in regard to all saving fund institutions.

A re-survey of the geological and mineralogical resources of the State has on several former occasions been recommended. The subject is again commended to your consideration.

The report of Col. James Worrell, Fish Commissioner, will be laid before you; from which it will be seen that although the work assigned him is progressing slowly, it is surely accomplishing the desired results.

In previous messages legislative attention has been called to sundry subjects upon which no action has been taken. Among the most important of these are the creation of an insurance department, the protection and multiplication of our fisheries, and the establishment of a bureau of statistics. With regard to the latter, it is important that the resources of the State should be more thoroughly ascertained and understood than they are at present. The extent and value of our oil, salt, coal and iron fields are unknown, and there is no reliable information to be obtained from any one source concerning the amount of these great staples, and the value of their annual production. The same may be said of all our productions, whether they result from mining, manufactures,

agriculture or commerce. There should also be recorded in this proposed bureau all such facts and statistics as are accessible, concerning the condition, wages and treatment of all classes of our working people. Facts on all these and other subjects relative to the business and productions of the State should be collected and properly recorded by an officer appointed for that purpose, and who would not only keep them easily accessible to all persons desirous of using them, but publish them annually for general information. The expense of such a bureau would be insignificant when compared with the advantages to be derived therefrom.

The obnoxious doctrine of free-trade is again raising its hydra-head with a view to destroy, as far as possible, some of the most important interests of the State and nation; but it is hoped and expected that our Senators and Representatives in Congress will interpose in solid phalanx between its advocates and the accomplishment of their designs.

My opinions, heretofore so fully and freely expressed in relation to a tariff protective of our products and manufactures, and especially upon salt, coal, iron and steel, remain not only unchanged, but are greatly strengthened by reflection and observation. Any attempt to reduce the protection now afforded cannot but be regarded as an effort to benefit foreign interests at the expense of our Home Industries, and to place our toilers on a par with the ill-paid labor of foreign countries, which must eventuate in the destruction of the very influences which have, since the war, made us so prosperous a people, and laid the foundation of such great individual and national wealth. The available teachings of experience on this important subject should not be unheeded, and legislation on it should be for the welfare of the people and the nation. It should unhesitatingly protect American labor, maintain its compensation, hold out inducements to capitalists for investment, give the producer a home market, and afford the amplest opportunity for the development of the unbounded

resources of the country, and not for the benefit of those who are industriously endeavoring to lure our capitalists to financial ruin, and bring about the impoverishment of our mechanics and citizens who are now prosperously engaged in all branches of trade and industry.

An "International Congress on the Prevention and Repression of Crime, including Penal and Reformatory Treatment," has been appointed to be held in London, on the 3d of July, 1872. By resolution of Congress, E. C. Wines, LL. D., has been chosen Commissioner of the United States. The philanthropic objects and beneficial results contemplated are too numerous to be here set forth. The accompanying documents will furnish all necessary information. Commissioners from nearly every civilized nation are expected to be present, and a number of our own States will, doubtless, be represented. It is suggested, very properly, that the Legislature of Pennsylvania authorize the appointment of one or more commissioners to represent the State in this important Congress.

Upon all national questions the views then entertained and advanced in my last annual message remain unchanged. On this account, together with the belief that Congress will soon dispose of the subjects then discussed, and others that have since been brought prominently before the public, I deem it unnecessary to occupy your time with any especial remarks on the affairs of the nation.

I conclude with a sincere and earnest desire that your session may be characterized by universal kindness and generosity, while on my part I will be pleased to give a cordial concurrence in every measure calculated to advance the interests of our common constituents and the general prosperity of the Commonwealth.

JNO. W. GEARY

EXECUTIVE CHAMBER,
Harrisburg, January 3, 1871.

PARDON REPORT.

Report of pardons granted, and death warrant issued during the year ending November 30, 1871, respectfully submitted for the information of the Legislature:

1. A. J. Kolp and Geo. M'Calla. Dauphin county. *Larceny.* August 30, 1870. Twenty months in Eastern Penitentiary. Pardoned February 23. Recommended by A. Aughinbaugh, prosecutor; J. M. Wiestling, district attorney; John J. Pearson, president judge; David Mumma, Jas. M'Cormick, J. W. Weir, Wm. Colder, Jesse Kennedy, John Myers, A. Boyd Hamilton, John W. Brown, R. H. Adams, Dr. S. T. Charlton, Henry Gilbert, George J. Bolton, David M'Cormick, F. A. Ricker, C. M. Martin, A. K. Martin, Henry and H. A. Bechtold, W. Michell, A. J. Keller, J. J. Clyde, Dr. Wm. H. Egle, John W. Roland, Alex. Patterson, H. Austin Brady, H. H. Landis, F. H. Arndt, Peter Bowman, H. H. Long, C. H. Brady, Wm. Kuhn, E. H. Shriner, Robert M'Fadden, S. N. Eby, H. Roberts, C. C. Marsh, J. R. Hoffer, and many others. Reasons: The prisoners are still in their minority; this is their first offence, which was committed under great temptation; they are respectably connected; their services are needed by their families; they have given commendable indications of sincere repentance, and it is believed their pardon will aid in making of them good and useful citizens.

2. John R. Greene. Philadelphia. *Assault and Battery.* February 15, 1870. Eighteen months in county prison. Pardoned December 15. Recommended by Wm. R. Leeds, John E. Addicks, Wm. S. Stokley, R. C. Tittermary, Mahlon H. Dickinson, Richard Peltz, John G. Butler, John L. Hill, James Givin, Joseph A. Bonham, James W. M. Newlin, Harmanus Neff, A. C. Harmer, H. W. Gray, Isaac M'Bride, Wm. B. Mann, R. H. Beatty, Wm. J. Pollock, James Bain, Absalom Taylor, George H. Smith, Marshall Hong, and many others. Reasons: Greene has a wife and four children dependent upon him for support

and in destitute circumstances, and having served more than one-half his term of sentence, a longer imprisonment would answer no useful purpose.

3. JOHN MILLER. Berks county. *Larceny.* November 16, 1870. Six years in county prison. Pardoned December 23d, to further the execution of the law, and with advice of the prosecutors, on condition that he would immediately leave the State and not return. Previous to conviction he had always sustained an excellent character, and has promised his friends and many respectable connections to pursue hereafter an honest course of life.

4. OLIVER F. JOHNSON. Montgomery county. *Passing Counterfeit Money.* March 30, 1870. Eighteen months in Eastern Penitentiary. Pardoned December 27. Recommended by Hon. Alex. Henry, Dr. H. Ernest Goodman, Hon. Wm. M'Candless, John O'Byrne, Charles H. Tatem, J. B. Houpt, Wm. B. Stokes, and many others. Reasons: Johnson never passed the note for which he was convicted; he offered it to another party and awaited until it was taken to a bank to ascertain if genuine; it was received by him in a regular business transaction; no other counterfeit money was found in his possession; his previous character was good; he was a faithful soldier in the Union army, and received a severe wound at the battle of Antietam; his health was rapidly failing in consequence of confinement, and his family are, therefore, suffering great distress. His punishment, already suffered, was considered quite sufficient for the alleged offence.

5. WM. M'MILLIAN, JAMES WELSH and JOHN KINSEY. Allegheny county. *Rape.* September 20, 1866. Each one thousand dollars fine and fifteen years in Western Penitentiary. Pardoned December 31, 1870. Recommended by Hons. Edwin H. Stowe and F. H. Collier, assistant law judges; A. L. Pearson, district attorney; eight of the jurors who tried the case; Hons. J. K. Moorhead, Thomas Howard, Jas. L. Graham, Jas. Taylor, John H. Kerr, Miles S. Humphreys, and Joseph Watton, Rev. W. H. Andrew, and more than six hundred other reputable citizens of Allegheny county. Reasons: M'Millian and Welsh have widowed mothers dependent upon them for support; Kinsey has always sustained a good character, and both himself and Welsh served faithfully in the Union army during the late war. The prosecutrix was a common prostitute, who invited improper liberties, and who swore falsely in every particular on the trial. It is believed that the defendents were innocent.

6. Joseph Kimes. Philadelphia. *Altering and destroying a part of the Public Record of the District Court.* July 19, 1870. One hundred dollars fine and one year in county prison. Pardoned January 2, 1871. Recommended by Morgan H. Jones, John A. Brown, W. H. Schofield, A. J. Canlen, Charles M'Neal, and other citizens. The entire jury who convicted Kimes joined in the recommendation for pardon, stating that "at least one-half of us believed him innocent, and were in favor of his acquittal until we came into court after a deliberation of more than an hour, when the judge charged us that the defendant was guilty of a malicious taking and conveying away of the notes, if he did not return them to the office. This the learned judge charged us was the law, and believing we were bound to render a verdict in accordance with his opinion upon the law, those who were in favor of an acquittal reluctantly agreed to a verdict of guilty." The petitioners for the pardon also aver that Kimes is a man of good character; that he has a very respectable family, three of his daughters being highly esteemed teachers in the Philadelphia public schools, who are suffering great humiliation in consequence of his imprisonment, and that the ends of justice do not require its further continuance.

7. David Shatzer. Franklin county. *Horse Stealing.* October 26, 1869. Three years in Eastern Penitentiary. Pardoned January 4, 1871. Recommended by Hon. Alex. King, president judge; W. S. Stenger, district attorney; J. W. Fletcher, sheriff; Abraham W. Sollenberger, prosecutor; I. H. M'Cauley, M. A. Foltz, Geo. A. Brewer, John R. Orr, F. M. Kimmell, H. S. Stoner, F. M. Mahan, John Stewart, Wilson Reilley, John M. Gregg, and many others. Reasons: Shatzer had hitherto borne an excellent character; his health is much impaired by his imprisonment; he has a wife and two children in destitute circumstances, and has already been sufficiently punished.

8. Richard Ficken. Philadelphia. *Assault and Battery and Intent to Kill.* Indicted March 4, 1870. Entered recognizance in the sum of $12,500. Pardoned January 19, 1871. Recommended by Gen. St. Clair A. Mulholland, chief of police of Philadelphia; Hons. John Lamon, John Dumbell, Samuel M. Hager, Wm. Duffey, John Cloud, Geo. A. Quigley, John L. Mooney, Adam Albright, Samuel Josephs, and Geo. M'Gowan, members of the House of Representatives from Philadelphia; Hon. Wm. M'Candless; Wm. R. Leeds, high sheriff of Philadelphia county; Thos. Ashton, clerk of court of oyer and terminer; Robert H. Beatty, receiver of taxes; Wm. Moran, F.

M'Laughlin, J. S. Pratt, W. B. Elliott, and other citizens of Philadelphia. Reasons: Ficken has always been regarded as a highly respectable citizen, and the offence with which he was charged was merely an accident. He was greatly annoyed and provoked by mischievous boys pulling the bell and thumping at the door of his residence, and failing by other means to drive them off, attempted to frighten them by discharging a small pocket pistol at the ground, the ball from which struck the stone door step, and glancing, entered the leg of one of the lads, inflicting a wound, which for a time appeared serious, but from the effects of which he is now convalescent. Ficken manifested great regret and was sorely distressed at the unfortunate occurrence, and readily offered to make any amends in his power. In execution of this purpose he paid the father of the injured boy, for the use of his son, and as a full compensation for the injuries received, the sum of $20,000, in consideration of which, the father consented to arrest all further legal proceedings in the case, and recommend the exercise of Executive clemency.

9. George Rogers. Allegheny county. *Larceny.* Oct. 1, 1867. Four years in Western Penitentiary. Pardoned Jan. 25. Recommended by Hon. John M. Reed, judge of Supreme Court; J. Alex. Simpson, Henry W. Gray, R. M. Evans, John M. Hazey, Henry Huhn, and Thomas Hall Foreman. Reasons: Rogers had always sustained an excellent character; since his imprisonment his behavior has been unusually correct, and such as to warrant the belief of his entire reformation; and he has a young sister wholly dependent upon him for support.

10. Daniel Baker. Franklin county. *Receiving a Stolen Horse.* October 29, 1869. Five dollars fine and two years in Eastern Penitentiary. Pardoned January 30. Recommended by John Kauffman, Jacob Pensinger, John Rowe, D. W. Craig, G. A. Gœtz, B. F. Winger, J. R. Davison, A. F. Schafhirt, A. K. Hammill, C. F. Fletcher, and more than one hundred and fifty citizens of Franklin county. Reasons: Baker was not aware that the horse he received had been stolen; he had always been regarded as an honest and upright man; has an aged father to support, and his health is suffering seriously from his confinement.

11. Henry Lane. Crawford county. *Horse Stealing.* September 13, 1870. Twenty dollars fine and one year in Western Penitentiary. Pardoned February 4. Recommended by the judges of the court be-

fore which he was tried; members of the bar of Crawford and Warren counties, several ministers of the gospel, and other reputable citizens. Reasons: Lane left his home in Maine, accompanied by his wife, for the west, in search of employment; failing in his object, and his wife becoming seriously ill, he resolved to return to their former home; being in destitute circumstances the journey was attempted on foot; after traveling more than a hundred miles, the wife, being "*enciente*," was incapable of proceeding further, and the husband hired a horse for their conveyance, which he failed to return to the owner. He freely confessed his guilt, and made all the restitution in his power.

12. PATRICK M'KENNA. Schuylkill county. *Embezzlement.* March 2, 1869. Three thousand nine hundred dollars fine, and three years and three months in county prison. Pardoned February 9. Recommended by Hons. Samuel Randall, James Ellis, J. Irvin Steele and Francis M'Keon; F. W. Conrad, D. E. Nice, Levi Huber, Thos. Quirk, H. Weber, H. W. Schalk, Fred'k L. Foster, Thos. H. Walker, N. A. Eshelman, Daniel Gillinger, Thos. Gorman, F. B. Bannan, A. F. Mortimer, C. H. M'Elfee, Hugh Fox, John Stanton, A. G. Yuengling, W. Gallans, John H. Boyer, Jesse Turner, Jas. W. Beck, James Glenn, John F. Satzer, John S. Morris, W. H. Robinson, and many others. Reasons: M'Kenna has a wife and a family of small children to support; has suffered a long imprisonment, and his health, in consequence, is rapidly failing.

13. JOSEPH SPENCER. Montgomery county. *Conspiracy to Break into a Jewelry Store.* November 17, 1870. Eighteen months in county prison. Pardoned February 15. Recommended by the warden and physician of the prison; Hon. H. H. Hoover, associate judge; George W. Bush, district attorney, Jas. P. Boyd and others. Reasons: The prisoner's health is so greatly impaired, that it is scarcely possible for him to live until the expiration of his term of sentence, unless released, and he has a wife and child dependent upon him for support.

14. JOHN SPAFFORD. Venango county. *Breaking into a Shop with intent to Commit a Felony.* August 26, 1870. Two years in Western Penitentiary. Pardoned February 21. Recommended by Hons. Jas. L. Graham, George H. Anderson, Miles S. Humphreys, D. N. White, John H. Kerr, Henry Warner, Jas. Taylor and John S. Robb; Thos. R. Cowell, whose store was entered; George Haman, W. B. Foster, David Harris, J. R. Zink and H. S. Sutton, jurors in the case; B. F. Kennedy, William J. Gilmore, A. P. Callow, Taggart & Simon, John

Hemmelly, John A. Herman, M. Grogan, James Callery, W. C. Moreland, A. L. Pearson, John E. Douring, Owen Byrne, A. B. M'Calmont, M. D. Lange, J. H. Callahan, and many others. Reasons: Grave doubts exist of Spafford's guilt; the evidence of his identity was not conclusive; he had previously borne an excellent character; all his family connections are respectable; and under the circumstances, mercy and humanity commend him to Executive clemency.

15. Patrick Kelly. Butler county. *Selling Liquor without License.* January 16. One hundred dollars fine and sixty days imprisonment. Pardoned February 27, on recommendation of James M. Bredin, Jacob Ziegler, Ebenezer M'Junkin, J. H. Negley, John M. Thompson, John N. Purviance and others; for the reasons that Kelly was not guilty of intentional violation of law; the liquor he was accused with selling was obtained by certain boarders in his house; he is an old man, with a dependent family, and was never before charged with any criminal offence.

16. John Huntley. Luzerne county. *Selling Liquor to Minors.* January 24. One hundred and ten dollars fine and four months and ten days imprisonment. Pardoned March 2. Recommended by W. W. Ketcham, W. N. Monies, E. L. Merriman, William Allen, D. M. Jones, S. P. M'Farland, George P. Richards, A. P. Benler, and many other citizens. Dr. C. W. Sparks, physician of the prison, certifies that Huntley is "suffering from erysipelas of the face and head, and a carious condition of the bones of the back and ribs, and that if he is confined for any length of time, it will occasion his death." This, in connection with the fact that his offence was not of an aggravated character, and other reasons, were considered sufficient to entitle him to Executive clemency.

17. Benjamin F. Tanner. Lycoming county. *Keeping a Gambling House.* January 24. One hundred dollars fine and three months in county prison. Pardoned March 8. Recommended by Hon. J. Smith and Hon. George P. Love, associate judges; John Piatt, sheriff; Geo. B. Chamberlin, H. H. Martin, John S. Fisher, Abram Allen, Charles E. Parsons, B. H. Taylor, W. F. Logan, Charles Nash, E. P. Dietrick, and many others. Reasons: Tanner was only technically guilty of the offence with which he was charged; has always sustained a good character; is a cripple from wounds received in the late war; his health is failing, and he has a poor and dependent family.

18. Charles Razey. Potter county. *Murder in the Second Degree.* December 18, 1867. Five years and nine months in Eastern Penitentiary. Pardoned March 13. Recommended by Hons. H. W. Williams, Woolsey Burtis and J. P. Saggart, judges; Seth Lewis, district attorney; W. B. Graves, late district attorney; Hons. A. G. Olmsted and John S. Mann; E. D. Lewis, H. J. Olmsted, Daniel Baker, W. W. Brown, F. W. Knox, and many others. Reasons: There was no intention on the part of Razey to commit a homicide. He was engaged in a fight with a man named Youngs, who was the aggressor, and by whom he was stabbed with a knife. Youngs was not wounded, but died during the struggle, and as the coroner's jury found, in consequence of "an enlargement of the lungs, induced by over-exertion." The prisoner had already been sufficiently punished, and a wife and two small children were dependent upon him for support.

19. Morris Cowden. Philadelphia. *Assault and Battery.* March 11, 1870. Three years in Eastern Penitentiary. Pardoned March 15, 1871. Recommended by J. T. Pratt, assistant district attorney; Peter B. Clymer, Samuel Owens, Samuel Pilling, Edward Letters, Peter Sheneger, Michael Daty, O: H. Morgan, David F. Whitley and Robt. Atman, jurors in the case; Reuben Harper, Simon P. Johnson, S. C. Ingram, Henry Thomas, Theodore Fetter, Thomas Moffet, D. A. Nagle, Isaac Rowe, and many others. Reasons: Cowden had always sustained a good character; the prosecution was instituted from sinister motives; the testimony was of a doubtful character, and none of the facts in the case justify a further imprisonment.

20. Eben Darrow. Venango county. *Robbery.* December 1, 1865. Five dollars fine and seven and a half years in Western Penitentiary. Pardoned March 17. Recommended by Hon. Robert Lamberton, assistant judge; Hon. R. S. M'Cormick, associate judge; David Derickson, W. C. Gilfillin, R. W. Mackey, D. H. Nulchett, S. S. Benedict, John Brandon, Z. Flowers, Jos. Stearns, A. Ross, H. P. Langworthy; twenty members of the Venango county bar, and over two hundred other citizens. Hon. James Campbell, president judge of the court in which the case was tried, states that "on the trial a number of witnesses proved an *alibi;* that the evidence was sufficient to prove a doubt of his guilt," and that he "cheerfully joins in a petition for his pardon." The trial and conviction took place during a period of great excitement; proper preparation for trial was not obtained; and the

prisoner's identity was not established by the witnesses for the Commonwealth.

21. Patrick Morrow. Allegheny county. *Murder in the Second Degree.* November 2, 1865. Ten dollars fine and eleven years in Western Penitentiary. Pardoned March 22. Recommended by John M. Kirkpatrick, Thos. M. Marshall, R. B. Carnahan, W. Phillips, John Coyle, Geo. Wilson, A. Fulton, Jas. P. Barr, N. P. Reed, John M. D. Croser, John Best, Jackson Duncan, R. A. Duncan, J. K. Moorhead, John D. Scully, and many others. Reasons: Judge Thomas Mellon, before whom the case was tried, urges the pardon on the ground that under all the circumstances, the sentence was too severe; the crime was not intentional and no deadly weapons were used. Morrow is becoming blind in consequence of his confinement, which is causing great suffering to a poor sister, and it is believed that he has already been sufficiently punished.

22. Henry B. Ellsworth. Washington county. *Entering a store with Intent to Steal.* May 29, 1867. One thousand dollars fine and eight years in Western Penitentiary. Pardoned March 22. Recommended by J. H. Nevin, president of board of prison inspectors; Rev. J. L. Milligan, chaplain; Hon. A. W. Acheson, by whom the case was tried and sentence rendered; Boyd Crumrine, district attorney, the physician of the prison, and others. Reasons: Ellsworth is seriously ill and has been under medical treatment for nearly two years; his life is endangered by further confinement; the sentence is regarded as unduly severe; and Executive clemency in the case would be an act of justice and humanity.

23. John A. Gore. Cambria county. *Rape.* June 7, 1870. Five dollars fine and three years in Western Penitentiary. Pardoned April 6. Recommended by A. Montgomery, J. M. Bowman, W. R. Geis, John E. Fry, W. R. Jones, John H. Fisher, John E. Scanlan, Jas. G. Hassan, J. Alex. Moore, Samuel Henry, and many others. Hon. Geo. Taylor, president judge, by whom Gore was tried and sentenced, in a communication endorsed by Hons. Geo. W. Early and Cyrus L. Pershing, says he "is now satisfied that the prosecutrix was a depraved young woman, and found in a brothel, and it is not reasonable to suppose that young Gore thought he was committing a rape, and, therefore, without any hesitation, recommends his pardon."

24. Patrick Rafferty and John Keenan. Philadelphia. *Assault and Battery.* December 21, 1869. Six years and ten months in East-

ern Penitentiary. Pardoned April 12th, upon the petition of numerous respectable persons, who allege that the prisoners were convicted solely upon the testimony of the prosecutor, who is a man of bad character, and has since been convicted and sentenced for crime in the United States District Court; one of them was unable, at the trial, to procure the attendance of witnesses who would have established his innocence; the sentence was unusually severe; in rendering their verdict the entire jury recommended mercy, and have joined in the petition for pardon; and none of the facts in the case justify a further continuance of imprisonment.

25. Louis and Charles Faber. Luzerne county. *Assault and Battery.* February 18. Fifty dollars fine and six months in county prison. Pardoned April 13. Recommended by all the jurors in the case; the mayor of Scranton, recorder of the mayor's court, and many respectable citizens, for the reason that the prosecutor provoked the assault, by drawing a pistol on the defendants, who acted in self-defence.

26. Alexander Haig. Crawford county. *Selling Liquor to Persons of Intemperate Habits.* April 10. Fifty dollars fine and ten days in county prison. Pardoned April 14. Recommended by R. C. Fry, C. R. Marsh, A. J. Harper, M. V. Davis, F. W. Ellsworth, and many others, for the reasons that Haig is one of the oldest and most respectable hotel keepers in Crawford county; that he was not aware of the character of the persons to whom the liquor was sold; there were no aggravating circumstances connected with the case; and the prosecution was instituted from malicious motives.

27. Bryan Betson. Philadelphia. *Larceny.* January 29, 1870. Nineteen months in county prison. Pardoned April 20. Recommended by R. C. Tittermary, W. H. Stevenson, W. Calhoun, R. H. Beatty, John L. Hill, H. C. Selby, and others, for the reasons that Betson is a very young man; had always borne a good character; was drawn into the commission of the offence charged against him by more experienced persons; is sincerely penitent; and has been sufficiently punished.

28. George Bergner. York county. *Libel.* Indicted March 27. Pardoned April 24. Recommended by members of the bar, press and Legislature; Hon. Simon Cameron, J. W. Killinger, S. F. Wilson, Edward M'Pherson, J. F. Hartranft, J. P. Wickersham, J. M. Campbell, Wilmer Worthington, R. W. Mackey, W. H. Kemble, Russell

Errett, H. C. Johnston, and other prominent citizens. Reasons: The alleged libel was published during a prolonged political discussion, and under serious provocation; the publication complained of was not malicious; the columns of the defendant's newspaper were open, by his declaration, to any reply; a retraction of the offensive article was made; the prosecution was instituted in a county where strong political feeling would prejudice the case; and no good could be accomplished by his conviction.

29. James W. Robinson. Franklin county. *Larceny.* April 22, 1869. Three years in Eastern Penitentiary. Pardoned April 28. Recommended by Hons. A. King, D. W. Rowe and John Armstrong, judges, before whom the case was tried; W. S. Stenger, district attorney; the prosecutor and a majority of the jurors; E. M. M'Pherson, J. M'D. Sharpe, Wm. M'Clellan, F. M. Kimmell, J. W. Douglass, I. H. M'Cauley, F. S. Stumbaugh, George W. Brewer, Wilson Reilley, and many others. Reasons: Robinson has heretofore borne an excellent character, and is a man of superior education and good social standing; his mother is an estimable lady, very aged and infirm, of whom he was the supporter and protector, and who is in great distress in consequence of his imprisonment; he has served the greater part of his term of sentence, and the ends of justice have been fully attained.

30. William Price. Philadelphia. *Setting Fire to a Stable.* Jan. 4, 1870. Eighteen months in Eastern Penitentiary. Pardoned May 5. Recommended by Christian Kneass, J. J. Piatt, Samuel P. Thompson, and many others, for the reasons that he had always borne a good character; his conviction was based on uncertain and conflicting testimony; his wife is in destitute circumstances, and his health has been greatly impaired by his confinement.

31. John Brill. Philadelphia. *Making Fraudulent Returns as an Election Officer.* March 9, 1871. One hundred dollars fine and one year in county prison. Pardoned May 18. Recommended by Henry Todd, W. H. Kern, R. H. Beatty, John E. Addicks, William R. Leeds, H. H. Bingham, W. H. Kemble, John Cloud, John Lamon, Samuel M. Hage, A. Albright, J. A. Miller, G. H. Griffiths, William Duffy, John Dumbell, W. L. Marshall, R. Johnson, A. Wilson Henszey, Geo. Connell, and many others. Reasons: Brill is an old man and has a wife and four children dependent upon him for support; has hitherto sustained an irreproachable character, and grave doubts exist in regard to his guilt.

32. Myron Labar. Wayne county. *Assault and Battery.* May 4, 1871. One hundred dollars fine and three months in county prison. Pardoned May 19. Recommended by George G. Waller, R. S. Domie, John R. Ross, Perry A. Clark, C. P. Waller, H. W. Stone, H. C. Hand, E. A. Penniman, H. Wilson, and many others. Reasons: Labar, previous to conviction, had borne an irreproachable character; the prosecutor is very quarrelsome and provoked the assault; the jail is damp and unhealthy, and the destitute condition of the prisoner's family demands his liberation.

33. George Brown. Philadelphia. *Burglary.* September 13, 1867. Seven years in Eastern Penitentiary. Pardoned June 28. Recommended by the district attorney; eleven of the jurors; Hon. Jas. Pollock, Rev. J. B. M'Corkell, George H. Stewart, George H. Armstrong, C. M. Derringer, James W. M. Newlin, A. J. Brown, and other promident citizens. Reasons: Brown was severely wounded when serving as a Union soldier in the late war, and previous to his conviction had borne a good character. Drs. H. Earnest Goodman, Thomas L. Harper and Alexis P. Turner, having carefully examined the prisoner, report that they believe him to be a lunatic, and that in his present mental condition the ends of justice cannot be subserved by his further confinement.

34. Edward Powers, John Mulvahill, Cornelius Kane and John Lynch. Huntingdon county. *Murder in the Second Degree.* November 13, 1870. Seven years and eleven months in Western Penitentiary. Pardoned June 30. Recommended by John L. Byrne, W. H. Woods, H. F. Conrad, Levi Evans, H. S. Wharton, Thomas Water, Martin Maher, Rev. W. A. Nolan, Levi Evans, W. E. M'Murtrie, John A. Nash, R. Milton Spear, Samuel S. Blair, J. R. Simpson, J. Simpson Africa, J. M. Lewis, James Kennedy, J. M'Laughlin, William Brown, E. L. M'Intire, J. M. Bailey, S. S. Brown, Miles Dentmyer, G. B. Hamilage, S. E. Fleming, J. S. Cornman, J. A. Hash, Hugh Lindsay, J. R. Dunbar, William Lewis, O. G. M'Crellis, Henry Cook, John Whiteside, J. M. Dunlap, J. H. Griffiths, James Findlay, James A. Collins, C. S. Bradley, C. H. Reed, A. Geason, B. F. Diffenbaugh, John Whitehead, H. F. Conrad, John S. Haffley, James P. Cessna, E. Foster, John Taylor, Scott Hamilton, James Thompson, and more than two hundred other citizens. Reasons: At the time of conviction great excitement prevailed in the community; the evidence submitted to the jury was very conflicting; the killing was the result of drunkenness; the

defendants had previously been quiet, industrious and peaceable men; the peace and harmony of the Broad Top coal regions would be promoted by their pardon, and the ends of justice had been attained by the punishment already suffered. Hon. George Taylor, president judge of the court in which they were tried, in recommending their pardon, states that "upon a careful retrospect, and particularly in view of what I have since learned of the men and the sad affair, I have now some doubt of their guilt, while I have no doubt that if they had been tried separately, they would have been acquitted."

35. William Griffiths. Allegheny county. *Manslaughter.* December 20, 1870. Ten months in county workhouse. Pardoned July 6. Recommended by Hon. Jas. S. Negley, Thos. W. Davis, J. H. Donley, D. W. Morgan, Moorehead & Co., Henry Lloyd, Samuel Kilgore, C. S. Magee, C. B. Bostwick, John W. Gill, John Fleming, Thos. Bailey, R. H. Smith, Edwin C. Matthews, W. B. Dilworth, Stafford Todd, John J. Bennett, Jas. F. Moore, J. A. Chambers, F. M. Magee, Ed. F. Anderson, John S. Robb, Wm. Dagnall, Daniel Jones, A. L. Pearson, district attorney; D. J. Jackson, James Hindman, Andrew Caughey, Harvey Krider, Wm. M'Clellan, James Campbell and E. C. Stuart, jurors in the case, and many other citizens. Reasons: Evidence of Griffith's good character was adduced at the trial; the circumstance of the case admit the possibility of his innocence; the petitioners have grave doubts of his guilt, and the district attorney says "he was convicted on very slight evidence."

36. William Hart. Philadelphia county. March 17, 1871. *Receiving Stolen Goods.* Five hundred dollars fine and three years in county prison. Pardoned July 12. Recommended by H. G. Sickel, Charles H. Barrett, Samuel M. Fox, Chas. Peak, Aug. T. Lynch, Mahlon H. Dickinson, Wm. Rittenhouse, Daniel M. Blackburn, Geo. E. Chambers, Charles W. Murray, Henry Price, Geo. F. Hunter, John W. Dubree, Samuel P. Thomson, and many others. Reasons: Hart is believed to be innocent of the offence for which he was convicted; the articles alleged to have been stolen and found in his place of business, were put there without his knowledge, from sinister motives; he is the victim of a conspiracy to extort money, or deprive him of his liberty; has a family to support; and it would be unjust to keep him longer in confinement.

37. Jonas C. Charles. Northumberland county. *Obtaining Goods by False Pretences.* March 17, 1871. One year in Eastern Peniten-

tiary. Pardoned July 14, for the reason that Hon. Samuel S. Woods, president judge of the court in which Charles was tried, has written that "the case was a very clear one; that the punishment should have been two or three months' confinement in jail; that in passing the sentence I was over-ruled by the associates who insisted in sending Charles to the peniteniary for a year or more; and that the sentence was one of uncalled for severity." It has also been averred that there was no evidence to warrant a conviction; the indictment was demurrable, and the judgment should have been arrested.

38. JOHN SULLIVAN. Luzerne county. *Assault and Battery.* February 17, 1871. One hundred dollars fine and six months' imprisonment. Pardoned July 14. Recommended by Hon. George Coray, J. B. Fish, Christian Filger, D. Langstaff, Edward Dolph, Michael Eiden, Henry G. Diller, Daniel B. Stamisburg and John Lesser, eight of the jurors in the case; Jas. Auglun, John Atkinson, A. Martin, M. J. Coleman, J. J. Mullen, M. J. Langan, James Austin, Peter Brown, Thos. C. Brien, Edward Walsh, James Kelley, David Keenedy, Thos. Quinn, W. A. Murphy, Jas. S. Conway, E. P. Thomas, H. H. Edwards, Constantine Donohue, Eberhart Jameson, J. E. M'Andrews, and more than two hundred other citizens. Reasons: Hon. W. G. Wood, by whom the prisoner was tried, and who recommends his pardon, says, that "if certain facts had been brought to the attention of the court, the sentence would have been but four months." Sullivan was intoxicated when the offence was committed; he has reformed and joined a temperance organization; is the only support of aged and infirm parents, and the law has been fully vindicated.

39. JOEL MARKLEY. Montgomery county. *Larceny.* March 4, 1871. Six months in county prison. Pardoned July 17. Recommended by Geo. W. Bush, district attorney; Chas. H. Garber, Daniel Trullman and J. B. Carpt, prison inspectors; Dr. W. H. M'Ewen, prison physician; John Getty, warden; J. R. Hunsicker, and others. Hon. Henry P. Ross, additional law judge of the court in which the prisoner was tried, writes: "It has been subsequently ascertained that Markley is now, and was at the time of his conviction, imbecile, and that his imbecility existed when he committed the larceny. He is, in my judgment, an eminently proper subject for Executive clemency, and from his present condition I think continued imprisonment will result in his death. The real facts in his case were not known until after his conviction and sentence, and I deem it my duty to request your Excellency

to pardon him. This letter is written after a personal inspection of Markley, and I am satisfied is fully warranted by the facts."

40. JOHN ANDERSON. Clinton county. *Assault and Battery.* May 9, 1871. Six months in county prison. Pardoned August 17. Recommended by J. W. Smith, sheriff; J. M. Deise, district attorney; Wm. H. Brown, prothonotary; A. C. Noyes, R. N. Bridgens, A. H. Strayer, R. H. Saltzman, A. S. Freese, G. O. Deise, Jas. Chatham, H. T. Harvey, C. S. M'Cormick, George Batchel, H. A. Childs, T. C. Hipple, A. B. Henderson, W. A. White, C. A. Lyman, J. M. Whitman, and many others. Reasons: Anderson was a stranger in the county when arrested; there are reasonable doubts of his guilt; he is very sick and will die unless soon released. Hon. C. A. Mayer, president judge, who tried the case, writes: "from information communicated to me by the attending physician, in relation to the physical condition of John Anderson, I concur in recommending him as a proper subject for Executive clemency."

41. JAMES PETO. Philadelphia. *Assault and Battery.* May 24, 1871. Five years in Eastern Penitentiary. Pardoned August 22. Recommended by Drs. J. H. Cantrell, J. Heritage and Martin Rizer; John G. Butler, John R. Cantlin, Horace H. Woodhouse, G. R. Clarke, David Rogers, James S. Earle, George Thomas, Alfred Taylor, O. S. Chaflin, Edward T. Parry, Samuel B. Walker, C. H. Taylor, William R. Leeds, Peter Lyle, James Givin, George Patchell, J. P. Delaney, and many others. Reasons: Hon. Jos. Allison, president judge, who tried and sentenced Peto, has written, that "the defendant has been nearly four years in prison, and I certainly do not oppose the Executive clemency in his case." Strong doubts exist in regard to Peto's guilt. Several respectable physicians allege that it was impossible for him to have committed the crime with which he was charged. He is a very old man; has a destitute family; his health is seriously impaired, and his continued imprisonment can accomplish no good.

42. WILLIAM THOMAS. York county. *Obtaining Money by False Pretence.* January 7, 1871. Twenty-two months in county prison. Pardoned August 30. Recommended by D. J. Williams, district attorney; George W. Heiges and W. C. Chapman, counsel for Commonwealth; Alexander Patton and David G. Williams, prosecutors; Henry Brant, keeper of prison; A. H. Chase, Henry L. Fisher, E. D. Biegler, John A. Metzel, and many others. Reasons: Thomas had always borne a good character; his conduct in prison has been exemplary;

his family are in destitute circumstances; it is doubtful whether his offence was one of false pretence, and he has already been sufficiently punished.

43. JEANNETTE SHEFFERER. Adams county. *Adultery.* January 25, 1871. One year in county prison. Pardoned September 1. Recommended by David Wills, R. M'Curdy, Louis E. Rammersault, S. S. Cordon, Martin W. Klink, H. S. Huber, and many others. Reasons: At the time the crime was committed and during the trial, she was mentally deranged, and consequently was removed from the county prison to the poor house for medical treatment; and being now restored to reason, is a proper subject for Executive clemency.

44. WILLIAM GENSLEY. Lancaster county. *Larceny.* November 22, 1865. Eleven years and four months in county prison. Pardoned September 1. Recommended by the board of prison inspectors; the jurors in the case; H. Shuler, Jas. Potts, C. C. Reed, Amos Lee, D. R. Rosenmiller, J. D. Hostetter, A. Herr Smith, W. B. Wiley, and many others. Reasons: Gensley has undergone a long imprisonment; his sentence was excessive, and he is now seventy years of age. Hon. Henry G. Long, president judge, by whom he was tried, says: "Under all the circumstances of the case of William Gensley, who is now advanced in years, and has served four years, I consider him worthy of Executive clemency." Hon. A. S. Hayes, associate judge, concurs in the opinion of Judge Long.

45. JACOB METZGER. Philadelphia. *Receiving Stolen Goods.* April 6, 1871. Five hundred dollars fine and three years in county prison. Pardoned September 8. Recommended by ten of the jurors; Thomas Ashton, F. A. Devitt, Thomas F. Bradley, Henry W. Gray, William S. Smith, William B. Mann, Richard Donagan, William R. Leeds, Jas. Givin, Joseph C. Tittermary, George Connell, and more than one hundred others. Reasons: The evidence in the case was entirely circumstantial; the principal witness is now in the penitentiary under sentence for burglary, and had previously served a term of imprisonment for other crimes; his character was so notoriously bad, that he should not have been believed upon his oath. Metzger had borne a good character; has a dependent family, and is a proper subject for Executive clemency.

46. JOSEPH ROZER. Mifflin county. *Assault and Battery.* August 29, 1871. Twenty-five dollars fine and twenty days in prison. Pardoned September 11. Recommended by Hon. S. S. Woods, president

judge; James S. Rakerd, district attorney; James Burns, John A. M'Kee, Andrew Reed, T. F. M'Cay, Charles Ritz, W. H. Bratton, H. J. Walters, Jos. Alexander, and others. Reasons: Rozer has always been considered a quiet and inoffensive man; the offence was committed in a quarrel; he has a family to support, and no good could be accomplished by his continued imprisonment.

47. Joseph White. Philadelphia. *Assault and Battery.* June 16. 1871. Nine months in county prison. Pardoned September 14. Recommended by John V. Creedy, William H. Witte, John S. Huhn, Jas. B. Alexander, W. J. Pollock, Wm. Thornton, William Elliott, William B. Mann; ten of the jurors, and others. Reasons: White's offence was provoked; he has a wife and five small children in destitute circumstances; the case was not properly defended, and the facts do not justify further punishment.

48. William M'Gee and Jonathan Neely. Allegheny county. *Bribery.* June 8, 1871. Two thousand dollars fine and one year in the work-house. Pardoned September 16, excepting as to fine and costs. Recommended by Hons. F. H. Collier, Jas. L. Graham, Miles S. Humphreys, A. L. Pearson, J. B. Fleming, Wm. Phillips, Josiah Cohen, A. G. M'Quaid, F. X. Schoonmaker, Thomas M. Bayne, Rev. Thomas H. Hanna, Thomas W. Davis, H. Bucher Swope, Russell Errett, John H. Stewart, James P. Barr, John A. Lyons, Jas. Brown, Thos. J. Keenan, S. H. Geyer, Cyrus Miller, Robert Brown, J. K. Lanahan, H. Hampton, Thos M. Marshall, and many members of the Pittsburg bar; the county officers; many citizens of Butler, and more than six thousand of Allegheny county, together with representatives of the entire press of Pittsburg. Reasons: The defendants had always borne good characters; Drs. John Dickson, Jas. King, John Hamilton and E. S. Hanna, represent the health of M'Gee failing so rapidly that his life must pay the penalty of much longer confinement. M'Gee is old, infirm and suffering great mental agony. The petitioners aver that the exercise of Executive clemency, under the circumstances, would be an act of humanity, warranted by the highest considerations of mercy.

49. James L. White. Berks county. *Murder.* April 15, 1864. Ten years in Eastern Penitentiary. Pardoned October 7. Recommended by Hon. Jeremiah Hagenman, additional law judge; Daniel Ermentrout, district attorney; John S. Richards, J. Lawrence Getz, Richmond L. Jones, William M. Hiester, H. H. Muhlenberg, H. Waltzberger, J. Knabb, Thomas C. Zimmerman, Henry M. Keim, Alfred San-

derson, Dr. Joseph Coblentz, Edward Wallace, James Woll, A. G Green, J. Shalter, William M. Baird, and others. Reasons: White, before the commission of the crime of which he was convicted, had borne the character of a quiet and sober man; his conduct in prison has been uniformly good; has devoted his leisure hours to study, and made great progress in mental and moral improvement, and having suffered a long imprisonment the ends of justice have been fully met.

50. ALBERT SCHLECT. Philadelphia. *Assault and Battery.* December 15, 1870. Eighteen months in county prison. Pardoned October 14. Recommended by John Lamon, Gideon Clark, Michael Conologue, Hance Byers, Harvey Preston, Peter Kayser, Thomas J. Morton, John W. Reed, Frederick Henne, T. George Soldholtz, jurors in the case, and others. Reasons: The prisoner had, previous to his conviction, borne a good character; the alleged crime was committed in self-defence against a gang of professional thieves; he was a gallant Union soldier during the late war; has a mother nearly eighty years old, dependent upon him for support, and the punishment already suffered has been sufficient.

51. WASHINGTON A. HALE. Venango county. *Rape.* April 28, 1870. Seven years in Western Penitentiary. Pardoned October 26. Recommended by Matthias Tarr, Manes M'Fadden, William Sinclair, A. R. Bannon, John Ricketts, Joseph Carson, S. P. Armstrong, E. Hughes, W. J. Badger, Joseph Henderson, jurors in the case; Robt. Crawford, R. E. Van Nalen, G. W. Dille, L. M. Hanna, J. A. Wood, S. L. Collins, David Ray, Daniel Jones, C. M'Bride, R. D. Reynolds, J. S. Gates, E. Sweeny, R. P. Bowman, A. G. Wilkins, A. M. Burdick, and others. Reasons: Hale's wife and her daughter formed a conspiracy to procure his conviction; the trial was so hurried that he had no proper opportunity to produce evidence; he has always sustained an excellent character; his health is so impaired that he cannot survive his term of sentence; and Hon. John Trunkey, president judge, has written: "Since his conviction, we learn that grave doubts exist among his neighbors, where he lived at the time of the alleged crime, of his guilt. In our opinion the doubt of his guilt has become so strong, that it would be better for the ends of justice if Hale be pardoned."

52. JOHN HARLEY. Montgomery county. *Rape.* August 20, 1868. Twelve years in county prison. Pardoned September 19. Recommended by William M'Candless, M. C. Hong, John M'Cullough, Wm. H. Browning, N. F. English, W. P. Latta, Chas. Fry, C. A. O'Harra,

Isaac M'Bride, William Green, James Mullen, and many others. Reasons: The prisoner had previously borne a good character, and was innocent of the crime of which he was convicted. Margaret Flanigan, the prosecutrix, writes: "I was compelled to appear against him by my people, otherwise I would not, as we had been intimate friends for a good while, and whatever was done on the occasion when we were discovered was as much my fault as his. Feeling it would be unjust for me to keep silent longer upon this subject, I ask you to pardon him."

53. William Irwin. Philadelphia. *Conspiracy to Defraud.* September 29, 1871. Fifty dollars fine and two months imprisonment. Pardoned October 30. Recommended by Hon. Edward M. Paxson, associate law judge of the court before which the prisoner was tried; E. W. Davis, Samuel Josephs, D. A. Nagle, Geo. Handy Smith, Jos. B. Hancock, Wm. Elliott, Charles A. Porter, George M'Gowan, Chas. H. Dougherty, John Lamon, Samuel Daniels, G. H. Griffiths, Howard J. Potts, A. D. Levering, James N. Marks, Samuel D. Strock, George W. Fox, J. Alexander Simpson, Wm. M'Candless, H. R. Kneass, Geo. W. Crawford, John Goforth, Leonard Myers, Amos Briggs, Charles S. Bonsall, Thomas Greenbank, Thomas B. Reeves, Stephen S. Remack, Henry M. Deckert, Nathan Penrose, Wm. F. Johnson, Richard Donegan, William B. Hanna, Alexander R. Cutler, C. J. Ashmead, George W. Arnold, H. W. Gray, Erastus Poulson, Charles N. Mann, H. G. Hartranft, C. B. F. O'Neill, G. Harry Davis, A. Wilson Norris, Wm. P. Messick, Daniel M. Blackburn, Benjamin F. Moore, Thos. J. Hunt, George S. Deiss, James W. M. Newlin, and many other prominent citizens. Reasons: Irwin's offence consisted in receiving nine dollars and eighty-seven cents for services rendered as a deputy sheriff, to which sum he supposed he was entitled; he is but a youth; the sentence was severe, and the ends of justice do not require its fulfilment.

54. Josiah Harvey. Westmoreland county. *Libel.* August 26, 1871. One hundred dollars fine and six months in county prison. Pardoned October 31. Recommended by W. P. Humes, M. R. Haymaker, F. L. Stewart, Joseph Reed, George R. Haymaker, D. K. Patterson, William Crookson, John Rolston, James Reed, Alexander Schall, W. P. Kifer, D. W. Shyock, Robert Black, H. P. Laird, D. S. Harvey, James Reed, J. P. King, John S. Murry, A. C. M'Cutcheon, G. M. Spargrove, D. Harbeson, Adam Torrence, George Gallagher, Thomas F. Gallagher, J. S. Hoy, John M. Kirkpatrick, T. J. Cochran, James

Kennedy, John Little, Crisey Gray, J. C. M'Ginnis, John Ward, W. A. Eaton, Wm. S. Marks, W. H. M'Garvey, John H. Kerr, John Glenn, and many others. Reasons: Harvey is a man of irreproachable character; the alleged libel was written under strong provocation, and he has suffered sufficiently for the offence.

55. Richard Palmer. Columbia county. *Manslaughter*. September 14, 1870. One hundred dollars fine and two years in Eastern Penitentiary. Pardoned November 7. Recommended by associate judge, J. S. Monroe; district attorney, E. R. Ikeler; James Bryson, William Peffer, William Torrey, Robert Gouell, J. J. Hoagland, J. H. James, J. P. Hoagland, W. B. Parkin, H. A. Weidensaul, D. K. Wortman, John W. Fortner, H. C. Freck, W. D. Melick, Michael O. Hair, John W. Howell, Patrick Killian, Donald Dunbar, John J. Price, Francis Thomas, J. G. Freeze, H. H. Gratz, J. H. James, William A. Marr, S. Knorr, O. C. Kahler, C. B. Brockway, Michael F. Eyerly, C. G. Barkley, W. H. Abbott, M. Whitmoyer, Robert S. Howell, Robt. F. Clark, E. H. Little, Richard Thornton, C. R. Buckalew, and many other reputable citizens. Reasons: John Phillips, the man killed, was a boarder in the house of Palmer, who detected him under his own roof, having criminal intercourse with his wife; the provocation was sufficiently great to mitigate the crime; the prisoner has five young children entirely dependent upon him for support, and the punishment he has already suffered fully answers the ends of justice.

56. Godfried F. Ellinger. Philadelphia. *Receiving Stolen Goods.* February 9, 1871. Two years in county prison. Pardoned November 8. Recommended by Leonard Myers, John Lamon, Christian Kneass, George P. Oliver, Jacob M. Davis, Robert Adams, Christian Sheter, Frederick Breitinger, and nearly three hundred others. Reasons: Ellinger was unjustly convicted; the witnesses against him were persons of bad character; the goods alleged to have been stolen were bought by him in good faith; on the trial he had no proper opportunity to produce testimony in his behalf; he has always sustained a good character, and his wife, who is dependent upon him for support, has become insane in consequence of his imprisonment.

57. James Crawford. Philadelphia. *Assault and Battery.* September 9, 1871. Two years in county prison. Pardoned November 8. Recommended by Isaac M'Bride, R. H. Beatty, John L. Hill, H. C. Selby, H. I. M'Intire, M. C. Hong, W. J. Pollock, William W. Lyle, John A. Houseman, Charles A. Porter, C. S. Harrington, Joseph H.

Edwards, W. H. Money, N. B. Boyd, James P. Hogan, and others. Reasons: Crawford was not allowed time to procure a fair trial, and subsequent events have established the fact of his innocence.

58. Frank Ryant. Potter county. *Larceny.* December 21, 1865. Nine years and four months in Eastern Penitentiary. Pardoned November 9. Recommended by D. F. Glassmire, the prosecutor; Hon. R. G. White, president judge; C. S. Jones and G. G. Colvin, associate judges; Seth Lewis, district attorney; A. G. Olmsted, D. C. Larrabee, Arthur B. Mann, Isaac Benson, S. S. Greenman, F. W. Knox, M. S. Thompson, S. Cushing, D. Baker, H. S. Reynolds, J. W. Allen, H. J. Olmsted, A. Rouseville, Jos. Mann, M. L. Gridley, W. C. Phelps, P. A. Stebbins, W. J. Lewis, A. M. Reynolds, S. F. Hamilton, D. Burlingame, Frank Knapp, E. Sizer, J. P. Lehman, D. C. Hall, A. M. Cassell, and many others. Reasons: The prisoner committed no intentional crime; his offence consisted of hiring a horse, when intoxicated, which he failed to return; he made no attempt to sell or otherwise dispose of the horse; the sentence, under the circumstances, was entirely too severe; his conduct during his long imprisonment has been uniformly good, and such as to recommend him to Executive clemency.

59. Walter Graham. Mifflin county. *Selling Liquor on Sunday, &c.* November 7, 1871. Ten dollars fine and twenty days' imprisonment. Pardoned November 9. Recommended by Samuel S. Woods, president judge; Wm. Ross and A. Troxel, associate judges; A. B. Ross and Henry Goss, jurors in the case; H. J. Culbertson, district attorney; Geo. V. Mitchell, Jas. M. Alexander, C. J. Ames, Jas. W. Parker, John A. M'Kee, A. Reed, S. M. Utley, Geo. W. Elder, C. S. Marks, A. M. Ingram, Nathan Frank, G. S. Walters, John J. Kinnerly, Jas. M. Allen, R. A. Matthews, Wm. Reed, A. F. Gibboney, Samuel Haffiey, and others. Reasons: Graham has always sustained the reputation of a law abiding citizen; he is nearly seventy years of age; has been an inn-keeper for more than thirty years; his house was orderly; he has enjoyed the confidence and esteem of the community in which he resides, and was guilty of no intentional violation of law.

60. Jackson Simpson. Lycoming county. *Larceny.* November, 1867. Six years and nine months in Eastern Penitentiary. Pardoned November 9. Recommended by J. Walbridge, district attorney; Col. Alfred Dart, David Dean, N. Belknap, J. D. Woodring, W. P. Fox, A. J. Linn, E. L. Clought, Elias Keeler, Thos. Salley, A. W. Edick, Wm. Magee, Wm. Streeter, S. B. Vanhorn, A. B. Singer, John A. Bennett,

H. Heik, W. H. Seiders, Amanda Shupp, C. Mann, B. F. Taylor, Wm. Eddinger, Michael Casey, Jr., and others. Reasons: Simpson, previous to this conviction, had borne a good character; he served faithfully in the Union army during the late war; has an aged mother to support; in committing the offence of which he was convicted was the dupe of an old offender; is decidedly penitent, and has already been severely punished.

DEATH WARRANT.

Lloyd Britton. Sentenced January 9, 1871, by the court of oyer and terminer of Lycoming county, for the murder of Jacob Bay. Warrant issued February 9. Executed at Williamsport, March 22.

Tabular Statement *of the number of pardons, &c., (with yearly average,) and death warrants, issued from the year* 1791 *to* 1871, *inclusive, with the names of the Governors by whom they were issued, the population of the State at the time, and the approximate number of inhabitants to each pardon.*

Years, inclusive.	No. of years....	Population of the State.....	No. of pardons granted	Yearly average of pardons,	Death war'nts,	Av'ge approximate No. of inhabitants to one pardon...	By whom issued.
From 1791 to 1799..	9	434,373	1,188	132	10	3,300	Thomas Mifflin.
" 1800 to 1808..	9	602,365	1,909	212	10	3,000	Thomas M'Kean.
" 1809 to 1817..	9	810,091	1,555	172	6	4,700	Simon Snyder.
" 1818 to 1820..	3	950,000	1,304	434	6	2,200	William Findlay.
" 1821 to 1823..	3	1,047,507	787	262	4	4,000	Joseph Heister.
" 1824 to 1829..	6	1,200,000	821	136	7	9,000	John A. Shultz.
" 1830 to 1835..	6	1,348,233	502	83	8	16,100	George Wolf.
" 1836 to 1838..	3	1,520,000	481	160	6	10,000	Joseph Ritner.
" 1839 to 1844..	6	1,724,033	725	120	14	14,400	David R. Porter.
" 1845 to 1848..	4	2,000,000	327	81	11	24,700	Francis R. Shunk.
" 1849 to 1851..	3	2,311,786	378	126	6	19,500	Wm. F. Johnston.
" 1852 to 1854..	3	2,500,000	326	108	11	23,100	William Bigler.
" 1855 to 1857..	3	2,700,000	161	53	8	50,900	James Pollock.
" 1858 to 1860..	3	2,906,215	216	72	12	43,000	Wm. F. Packer.
" 1861 to 1866.	6	3,100,000	763	127	18	24,400	Andrew G. Curtin.
" 1867 to 1871..	5	3,521,791	356	71	21	50,000	John W. Geary.
	81		11,799	146	158		